

## **REMARKS/ARGUMENTS**

### **Status of Application**

The Office Communication mailed January 26, 2004 objected to the Abstract and the disclosure. Claims 1-4, 8-12, 22-24, 27-37, and 40-42 were rejected under 35 U.S.C. §102(e) in view of U.S. Patent No. 6,409,602 to Wiltshire et al. (hereinafter "Wiltshire"). Claims 5, 13, 19, and 25 were rejected under 35 U.S.C. §103(a) as being unpatentable over Wiltshire in view of U.S. Patent No. 6,098,985 to Moody (hereinafter "Moody"). Claims 6, 7, 14, 15, 20, 21, 26, 38, and 39 were rejected under 35 U.S.C. §103(a) as being unpatentable over Wiltshire in view of U.S. Patent No. 6,089,982 to Holch et al. (hereinafter "Holt").

In the specification, a number of typographical errors and informalities were corrected. Replacement sheets for Figs. 2A, 2C, 3A and 3C are attached to add reference numerals and correct spelling errors. The Abstract has also been amended to reduce the length of the Abstract. The Examiner objected to the use of the term "Internet" in claims 1, 27, 29, 32, 33, 34, and 36. Applicants would like to clarify that the inventions defined by claims 1, 27, 29, 32, 33, 34, and 36 do not claim the Internet, but merely claim the use of the Internet. For example, in claim 1, the website server is capable of being operatively coupled to the remote player devices via the Internet. Thus applicants respectfully submit that the usage of the term "Internet" is definite and not ambiguous. Claims 33-36 originally filed with the application have been cancelled without prejudice.

In view of the above amendments and the following remarks, reconsideration of the application is respectfully requested.

### **Claims 1-8**

Claim 1 includes *inter alia*, the following recitations:

... said website server comprising:

a controller that comprises a processor and a memory; and ...

said controller of said website server being programmed to **select logon display data and to cause said logon display data to be transmitted to one of said remote player devices** via said network communications circuit when said one remote player device is operatively coupled to said website server,

said controller of said website server being programmed to cause player data received from said one remote player device to be stored in memory,

As should be apparent from the underlined and bolded portions of independent claim 1 set forth above, amended claim 1 is directed to a gaming system having a website controller that is programmed to: (1) select logon display data and to cause the logon display data to be transmitted to one of a number of remote player devices, and (2) cause player data received from said one remote player device to be stored in memory.

Wiltshire generally discloses a gaming system in a client/server configuration. The Wiltshire system utilizes a network interface 115 to connect the server/host computer 110 to client/terminal computers 120. *Wiltshire* Col. 5, lines 39-40. In particular, the network interface 115 appears to be merely a bank of switches with a number of ports to appropriately connect the server/host 110 to the client/terminals 120. *Id.* at 33-41.

Nowhere in Wiltshire does it appear to disclose programming the network interface 115, let alone programming it to function as a website server. Furthermore, Wiltshire does not appear to disclose programming a website server controller, or even the network interface 115, to select logon display data and to cause the logon display data to be transmitted to one of a number of remote player devices. Additionally, Wiltshire does not appear to disclose programming a controller of a website server to cause player data received from a remote player device to be stored in memory.<sup>1</sup> For the foregoing reasons, it is respectfully submitted that claim 1 and claims 2-8 which depend therefrom, are in condition for allowance.

#### **Claims 9-15**

Amended claim 9 is directed to a website server having a controller that includes a processor and a memory operatively coupled to the processor, wherein the website controller controls the operation of the website server and is programmed to: (1) select logon display data and to cause the logon display data to be transmitted to a remote player device via a network

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<sup>1</sup> While the Office Action identified Column 4, lines 29-33 as the section in the patent that disclose programming a website server to cause player data received from a remote player device to be stored in memory of claim 31, Applicant can find nothing in this section of the patent, nor any other section of the patent, that discloses programming a website server to cause player received to be stored in a memory. If the Examiner disagrees with Applicants' statements of what Wiltshire does not disclose, he is respectfully invited to point out where such disclosure exists in Wiltshire.

communications circuit, and (2) cause player data received from the remote player device to be stored in memory.

It is respectfully submitted that, similar to claim 1, Wiltshire does not appear to disclose programming a controller of a website server to select logon display data and to cause the logon display data to be transmitted to one of a number of remote player devices. Wiltshire also does not appear to disclose programming a controller of a website server to cause player data received from a remote player device to be stored in memory. Therefore, it is respectfully submitted that claim 9 and claims 10-15 which depend therefrom, are allowable over Wiltshire.

#### **Claims 16-21**

Applicants also submit that Wiltshire does not appear to disclose a website server having a controller that controls the operation of the website server, the controller including a processor and a memory operatively coupled to the processor, wherein the controller is programmed to: (1) retrieve from the memory data prompting a game selection to be made, and (2) cause the data prompting a game selection to be made to be transmitted to a remote player devices to prompt a player to select at least a first game or a second game. Therefore, it is respectfully submitted that claim 16, and claims 17-21 which depend therefrom, are allowable over Wiltshire.

#### **Claims 22-26**

Claim 22 is directed to a website controller that controls the operation of a website, the controller including a processor and a memory operatively coupled to the processor, wherein computer program portions are stored in the website controller's memory that causes: (1) data prompting a game selection to be made to be transmitted to a remote player device to allow a first game or a second game to be selected via the remote player device, and (2) game selection data representing a game selection that is received from the remote player device to be stored in memory.

It is respectfully submitted that Wiltshire does not appear to disclose a website controller that controls the operation of a website. More specifically, Wiltshire does not appear to disclose storing in a website controller's memory a computer program portion that causes data prompting a game selection to be made to be transmitted to a remote player device to allow a first game or a second game to be selected via the remote player device. Furthermore, Wiltshire does not appear to disclose storing in a website controller's memory a computer program portion that causes game selection data representing a game selection that is received from the remote player

device to be stored in memory. Therefore, it is respectfully submitted that claim 22 and claims 23-26 which depend therefrom, are allowable over Wiltshire.

#### **Claims 27-28**

Amended claim 27 is directed to a method of operating a website computing apparatus that includes retrieving logon display data from a memory associated with the website computing apparatus and transmitting the logon display data from the website computing apparatus to a remote player device over the Internet. Nowhere in Wiltshire does it appear to disclose retrieving any type of data from a memory associated with a website computing apparatus, let alone retrieving logon display data from a memory associated with a website computing apparatus and transmitting the logon display data from the website computing apparatus to a remote player device over the Internet.

Wiltshire appears to only disclose passing data from the server/host 110 through the network interface to the client/terminal 120 and passing data from the client/terminal 120 through the network interface to the server/host 110. For the foregoing reasons, it is respectfully submitted that claim 27 and claim 28 which depends therefrom are in condition for allowance.

#### **Claims 29-32**

Similar to claim 27, amended claim 29 is also directed to a method of operating a website computing apparatus that includes: (1) at the website computing apparatus, **initiating the retrieval** of game display data from a first gaming apparatus that facilitates play of a first game if the game selection data represents the first game, and (2) at the website computing apparatus, **initiating the retrieval** of game display data from a second gaming apparatus that facilitates play of a second game if the game selection data represents the second game. It is respectfully submitted that Wiltshire does not appear to disclose a method of operating a website computing apparatus that includes initiating the retrieval of game display data from a first gaming apparatus that facilitates play of a first game if the game selection data represents the first game, which is performed at the website computing apparatus. Neither does Wiltshire appear to disclose initiating the retrieval of game display data from a second gaming apparatus that facilitates play of a second game if the game selection data represents the second game, which is also performed at the website computing apparatus. Therefore, it is respectfully submitted that claim 29 and claims 30-32 which depend therefrom, are allowable over Wiltshire.

## Claims 37-41

Claim 37 includes the following recitations:

transmitting first game display data from said gaming apparatus to a website computing apparatus, said first game display data representing a first game image relating to a game that may be played via a player device that is remote from said website computing apparatus and that is remote from said gaming apparatus, said first game display data being included in a data communication having a destination address that specifies said player device;

receiving wager data from said website computing apparatus, said wager data being included in a data communication having a source address that specifies said player device;

transmitting second game display data from said gaming apparatus to said website computing apparatus, said second game display data representing a second game image relating to said game, said second game display data being included in a data communication having a destination address that specifies said player device; and

transmitting outcome data from said gaming apparatus to said website computing apparatus, said outcome data representing an outcome of said game, said outcome data being included in a data communication having a destination address that specifies said player device.

As should be apparent from the underlined and bolded portions of independent claim 37 set forth above, claim 37 is directed to a method of operating a gaming apparatus that includes (1) transmitting first game display data that is included in a data communication having a destination address that specifies a player device, (2) receiving wager data from a website computing apparatus that is included in a data communication having a source address that specifies the player device, (3) transmitting second game display data that is included in a data communication having a destination address that specifies the player device, and (4) transmitting outcome data from the gaming apparatus to the website computing apparatus that is included in a data communication having a destination address that specifies the player device.

It is respectfully submitted that Wiltshire does not appear to disclose a method of operating a gaming apparatus that includes transmitting first game display data that is included in a data communication having a destination address that specifies a player device, or receiving wager data from a website computing apparatus that is included in a data communication having a source address that specifies the player device. Wiltshire also does not appear to disclose transmitting second game display data that is included in a data communication having a destination address that specifies the player device, or transmitting outcome data that is included in a data communication having a destination address that specifies the player device. Thus, it is

respectfully submitted that claim 37 and claims 38-41 which depend therefrom, are allowable over Wiltshire.

**Claim 42**

Applicants respectfully submit that independent claim 42 is allowable at least for reasons similar to those discussed above with respect to claim 37.

**Conclusion**

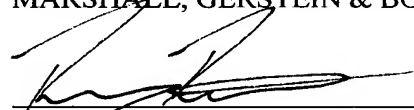
In view of the foregoing, it is respectfully submitted that the above application is in condition for allowance. If there is any matter that the Examiner would like to discuss, the Examiner is invited to contact the undersigned representative at the telephone number set forth below.

Respectfully submitted,

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By:

  
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